Minutes

Criminal & Juvenile Justice Information Task Force

February 12, 2016
9:00AM – 11:30AM
MN Judicial Center, Room 230

Chair, Deb Kerschner, Department of Corrections

Present:

Member Names	Organization
Arrowsmith DeCoux, Jay	League of MN Cities
Beaumaster, Paul	Dakota County Attorney's Office
Beyer-Koupenske, Laurie	Department of Administration
Buker, Dean A.	Information Technology Division
Conklin, Shana	League of MN Cities
Galili, Oded	BCA
Gerlicher, Cari	Department of Corrections/MN Chiefs of Police Assn.
Goldstein, Michael	Chiefs of Police Association
Hoyle, Kathy	Board of Public Defense
Johnson, Brian	House of Representatives
Kerschner, Deb	Department of Corrections
Khan, Safia	Minnesota Coalition for Battered Women
Ostrem, Mark	Olmsted County Attorney
Payne, Jill (Proxy for Nate Reitz)	MN Sentencing Guidelines Commission
Schmidt, Amy	League of MN Cities
Smith, Rick	Washington County Probation
Washburn, Steve	League of MN Cities
BCA	**State Court Administration**
Asleson, Mike	Cleary, Shay
Gotz, Dana	Garza, Melia
Oliveira, Jill	Kuisle, Peggy
Schiller, Karen	

Criminal and Juvenile Justice Information Task Force Meeting
February 12, 2016

Introductory Items

Chair, Deb Kerschner, called the meeting to order. Roundtable introductions were made. Deb introduced and welcomed Jay Arrowsmith DeCoux, the Mayor of Grand Marais. He is representing the League of Minnesota Cities, and newly appointed to the Task Force. A motion was made and seconded to approve the agenda. A vote was taken. **The motion carried.** A motion was made and seconded to approve the November 13, 2015 Task Force Meeting minutes. A vote was taken. **The motion carried.**

eCourts Initiative Update – Shay Cleary, State Court Administration

Shay Cleary is the Judicial Deputy Director in the Information Technology Division and eCourts Portfolio Manager for State Court Administration. He provided a brief history of the eCourts project which began in October 2011, when the Judicial Council committed to eCourtMN. eCourtMN has been recognized as the most complex initiative ever undertaken by the Branch, with a vision that Minnesota courts will operate in an electronic information environment and will ensure convenient, timely and appropriate access to court information. This meant operating completely paperless from the beginning to the end of the process. The reasons to move to an electronic environment were to meet public expectations, increase efficiency and implement new ways of doing business.

The goals they set forth were to:
1. Increase productivity and reduce operational costs
2. Provide easy-to-use electronic court services
3. Build secure and reliable business and technical infrastructure
4. Promote and facilitate culture change
5. Create a fiscally sensible, cost neutral process

In January 2012, the Judicial Council approved the multiyear implementation plan to completely transform the courts from paper to electronic files. They began the four part implementation plan and from what they learned during part one; they determined to revise their strategy forward. In February 2013, the eCourtMN Steering Committee adopted a revised implementation plan based upon the "lessons learned" in eCourtMN pilots. So part one of the plan was the pilots, part two was implementing imaging statewide and preparing for partner access, part three was creating the judge's tools and implementing the partner solution; Minnesota Government Access (MGA). Shay then opened the discussion for questions before continuing with the project updates. Brian Johnson asked what they were doing about rural areas that don't have broadband internet. Shay responded that one of their goals is to ensure that they have a stable infrastructure by making some significant investments and working with Minnesota's Network for Enterprise Telecommunications (MNET) to expand broadband across the state. Shay also invited their Information Technology Director, Dean Buker, to respond. Dean stated that there is a huge effort to expand broadband statewide, but hopes that most businesses would have broadband or offer an offsite access solution. Brian stated that his concern was for the general public and the amount of time it takes to file manually. Shay responded that they understand there are areas where eFiling will not currently be accessible, but overall in most cases it has become more convenient for the general public. Shay continued with the accomplishments in part two of the project.

Part 2 Accomplishments:
- Access to public images/documents at courthouse terminals statewide
- Centralized appeals processing

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- eFile Support Center
- Imaging in all counties statewide
- Mandatory eFiling & eService (eFS) for Civil and Family case types in 11 pilots
- Public Wi-Fi statewide

Oded Galili asked (first bullet) how the court determines whether a document is public. Shay responded that court staff determines this and in some cases the burden is on the attorney to redact information on the document. They did spend a lot of time to develop this process and to provide staff with intensive training to ensure document security and classification competency. Shay continued with the accomplishments in part three of the project.

Part 3 Accomplishments:
- 2015 Court Rule Changes and mandatory eFiling & eService for all case types in 11 eCourtMN Pilot Counties
- Appellate of eFiling solution
- Judge Tools Development & Rollout
- Business Continuity Template Developed
- eFS Standard Configuration
- eSignature Implementations
- New Minnesota Government Access (MGA) available to all agencies in eCourtMN Pilot and Imaging Counties
- Self Represented Litigant (SRL) Pilot in 4th Judicial District

They are currently in part four of the plan and have completed the TIFF to PDF functionality which went live in November; both eFiling and eService were implemented statewide in December with plans to mandate these services starting on July 1, 2016. Kathy Hoyle asked what happens when the public eFile system is down, which recently occurred and people are unable to file electronically. Shay responded that they are doing their best to ensure that the system is consistently up and running, but when the system is down the option to file manually (paper format) is always available. He added that the public will not be mandated to eFile. Brian Johnson asked if the system is down when someone is using eFile and they are not aware it's down; in the case of date sensitive documents is a verification of the date and time they file secured. Shay responded that one of the benefits of eFiling is that the date and time the file is electronically received; is the date and time it is stamped. He added that there are alerts built-into eFile that users can select to be notified when a file is rejected, accepted, filed, etc. Also outage notification logs are posted on the website to validate inabilities to eFile which can then be presented to a judge when deadlines are at stake. Shana Conklin stated that as a city attorney, when they currently go into eService to access documents they are required to sign up for each case individually and asked how close they were to a solution. Shay responded that it will be at least 6 months to a year.

Shay resumed the part four updates which includes the on target completion of Business Continuity plans statewide by February 2016. They also have document integrations now available which will enable agencies to send documents directly to the courts without having to upload them. They have undertaken a pilot project with the Department of Corrections (DOC) and Community Corrections in five counties with plans to go-live statewide in April 2016. They are currently rolling out the revised Task Manager workflows to pilots and in April they plan to prepare for mandatory eFiling and eService which will begin July 1, 2016, by looking at agencies who are not using these services and reach out to them to provide support. Oded asked when a user enters a case by eFiling does eFile automatically provide users with the decisions that are made by the courts. Deb responded that we already have that integration with the courts through Court Service Tracking System (CSTS) as sentencing goes through CSTS to the courts.

Shay reported that the Minnesota Government Access (MGA) is being implemented to all agencies statewide by spring 2016. Deb asked when the new MGA is implemented will there be a new access point. Shay responded that they do not have an end date for Odyssey Assistant (users' current access) and are still making improvements to the new MGA based on feedback they have received. Mark Ostrem stated that he believes there is a backlog to the dates given for implementation of the new MGA. Shay stated his understanding is that they are on track but will discuss with Mark following the meeting. Kathy asked when the Confidential 2 documents will be available. Shay stated there are a number of documents being classified as Confidential 2 (i.e.; police reports, etc.) that partners need and they are also creating a new document type called Confidential Agency which agencies will have access to. They are currently working on the document list and do not have a definite date of availability but possibly targeting June.

Shay reported that they have also done a lot of outreach through hosting eFS and New MGA Information Sessions, providing regional press releases and by conducting editorial board meetings and a Measuring Success Interim Survey. They have also received press about eFS and eCourtsMN, through articles published in many regional papers.

In summary, Shay stated that their goal is to have an electronic record process from beginning to end and they have made tremendous progress to get there. There is still some work to do and when finished our court system will be more accessible and convenient to those involved in cases and to the public. It will also be more efficient and adaptable which all translates into better service for all residents of Minnesota. Shay opened the discussion for questions. Shana asked Shay to provide more information about eSignature. Shay stated that they have been implementing eSignature internally, which is a tool designed for judges to sign documents electronically. The main issue they have had is the internal process of signing and moving the document around. He added that if your agency plans to undertake an electronic signature solution to contact their support center first, to ensure that it will be compatible with their system.

Orders for Protection (OFP) System Update – Melia Garza, State Court Administration

Melia Garza is the Domestic Sexual Violence Analyst for State Court Administration. She stated that she has been working on the Orders for Protection (OFP) project for the last year and a half. The project is being funded by the US Department of Justice-Office on Violence Against Women (OVW) and the grant was awarded to the Minnesota Department of Public Safety, Office of Justice Programs. The project partners include:

- MN Judicial Branch – State Court Administrator's Office (SCAO)
- Bureau of Criminal Apprehension (BCA)
- MN Coalition for Battered Women (MCBW)
- MN Sheriff's Association
- MN Chiefs of Police Association
- Indian Affairs Council

The project funding came in at the end of 2011; followed by the work they completed in 2012 and 2013 devoted to the requirements gathering and design; and in 2014 the vendor delivered the product which they were able to begin testing and fine-tuning. They began a pilot with Ramsey County in February 2015 working very closely with the staff at both Ramsey County and the BCA. They implemented a few improvements to the product from what they learned during this pilot phase, before the roll out to three additional pilots (Aitkin, Anoka, and Olmsted Counties) in June and July of 2015. In September 2015 they began the statewide roll out on a district by district schedule through January 2016. As of today, all 87 counties and all 10 judicial districts are now live with this new OFP functionality.

The main goal of this project was to improve the transmission of OFP data from the courts to the BCA, so law enforcement officers have timely access to accurate and complete OFP information with the goal of improved enforcement of OFPs and increased safety. The transmission of OFP data flows from the courts to the BCA Hot Files and finally to the FBI National Crime Information Center (NCIC). The project really focused on the first transmission from the courts to the BCA. Two of the key improvements the project achieved were the real time transmission of OFP data and the Minnesota Court Information System (MNCIS) development now transfers the full text of orders (precise language used by the judge) making it visible to law enforcement officers on duty thereby enhancing their ability to make informed decisions. Additional project improvements include replacing the out of date technology with single data entry point; sending automated emails to notify petitioners when the respondent has been served an order; and service (order was served) messages are integrated into MNCIS.

Melia opened the discussion for questions. Paul Beaumaster asked if there will be a way to print a certified copy of the petition when the paper process is eliminated. Melia responded that they haven't discussed eliminating the paper process as it is required by statute and continue to rely on the paper notification (document) to come in. Jay Arrowsmith DeCoux asked about the local domestic violence centers and shelters that use OFPs on a regular basis if the paper process will remain unchanged and whether they can opt in to receive the notification upon service. Melia confirmed that the paper process has not changed and they now have the ability to opt in to receive the notification upon service. She stated that in MNCIS the field structure is set up to send notifications to an email address and when properly formatted; it is possible for the petitioner's attorney or an advocate to receive the notifications. The message that is generated once the service is performed is very generic in order to protect the petitioner and can be problematic if an attorney or advocate is working with more than one petitioner as it may be hard to distinguish the cases between multiple notifications. Jay asked if any information has been offered to the centers about this change. Melia responded that they have made sure that advocates around the state are informed, in part through the presentations conducted during the process of the project; and also by offering informational web training for petitioners and law enforcement officers in the field, during which users are also able to provide feedback about what they observe and experience as this project rolls out. Dana Gotz also noted the collaboration between Courts and BCA and thanked Courts for the good partnership on this project. She mentioned that Courts and BCA are still working on some validation issues to improve the process and errors that still have to be corrected manually by Court and BCA staff.

New Electronic Search Warrant Project – Mike Asleson, MNJIS DWI Deployment Coordinator

Mike Asleson is the DWI Deployment Coordinator for the MNJIS Division of the BCA. He has been working on the eCharging project for the last three years with a focus on DWI. He stated that eCharging is the electronic system that ties law enforcement, with the prosecution and the courts in order to process a number of transactions electronically; which include criminal complaints, the DWI arrest process, criminal vehicular operation/homicide probable cause statements, incident referrals, citations and newly added to the eCharging platform are electronic search warrants (in progress).

He stated that currently 97% of DWIs in the state are processed through eCharging and the urgency to develop electronic search warrants was driven by the increased need for DWI search warrants due to recent changes in the law requiring law enforcement officers to obtain search warrants for breath (geographically determined), blood, urine and controlled substance testing. Most of these search warrants are needed during non-court hours and in many cases the DWI offenders are being taken to judges' homes. For these reasons the project has become a top priority at the BCA and the Office of Traffic Safety has provided $272,000 in grant funding, in addition to the internal resources provided by the BCA.

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Elements of the Electronic Search Warrant Project:
- Multi-phased project
- Phase I
  - Pilot
    - 6-to-8 months out
    - DWI's only
    - State Patrol (metro)
    - Fully test 3-to-4 months
- Statewide deployment
- Juvenile search warrants out of scope
- No ability to add attachments to search warrants in this phase

Phase I Elements:
- Create search warrant applications and supporting affidavits
- Sign application electronically
- Submit to judge for review/approval
- Judge will have ability to receive the search warrant application, review it on-line, approve and sign, or reject with comments, return to requesting officer
- Judge will not be allowed to edit warrant

The judge's Criminal Justice Data Communications Network (CJDN) access will be provided by the courts and if access fails, the officer will need to revert to paper. The officer must still locate and alert the judge and wait for the judge to log into eCharging. As with the other eCharging applications, the electronic search warrant notifications are sent by email when it is assigned; signed by the judge; and if rejected. After the warrant is executed it is filed with the court in the same manner as it is today and will not be electronic in Phase I. The courts have expressed an interest in creating an on-line process to submit the documents after warrant service as part of Phase II.

Overall this project will provide cost and resource savings and the future benefit from this project will be to provide a warrant application which can be used to obtain search warrant approval for a variety of criminal investigations. Mike opened the discussion for questions. Jay Arrowsmith DeCoux stated that it doesn't actually change the process but accelerates the process by getting it to the judge and back to the officer in real-time. Mike confirmed his statement was correct. Deb asked if a future demo could be provided and Mike concurred.

Task Force Subcommittee Updates

Collaborative Relationships & Funding:
Amy Schmidt reported that the email Dana Gotz sent on behalf of this subcommittee to members yesterday was their first endeavor to combine the hybrid of collaborative relationships and funding. Their request of Task Force members (in yesterday's email) to solicit and submit criminal justice information sharing funding initiatives on behalf of the agency/organization they represent, was in line with their first objective.

Dana directed members to the one-page handout and stated that this subcommittee will be focusing on two main objectives in the next year. The first is to identify funding initiatives (related to criminal justice information systems) that should be forwarded for inclusion in the Governor's 2017 budget bill. The second primary objective is to re-brand the identity of the Task Force and to promote the four new strategies the Task Force and Policy Group have identified and approved. She also encouraged members to join their subcommittee.

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Paul Beaumaster added that their first objective targets more than just funding initiatives but is also about moving towards more collaboration of likeminded initiatives. How do they leverage different criminal justice systems and the ideas for each system together? There are a lot of great ideas within the criminal justice community but how do we foster the communication and collaboration of ideas between criminal justice stakeholders/partners in order to streamline integration statewide. Dana added that the BCA could have advocated on its own for the new Criminal History System, but chose instead to go through the Task Force and Policy Group process. Their decision was based on the extra support provided by all of their criminal justice partners about the importance of this initiative and she also believes it made a difference in getting the project funded. She also addressed their second objective around re-branding their identity which came out of their legislative initiative to combine the Task Force and Policy Group into one Advisory Group. If that happens in this legislative session part of the responsibility of this subcommittee is to figure out how to communicate; inform people about; and re-brand the new Advisory Group.

Safia Khan stated that she and the group she represents are wondering what the scope of the funding initiatives are as they are not a criminal justice system agency. They recently assisted the Department of Public Safety (DPS) Commissioner's office with developing recommendations for gathering data on domestic abuse. The recommendations involve how law enforcement and prosecutors collect data and how data is made available to the public and to people in the system. Would a pilot project be considered within the scope of funding initiatives? Paul responded yes as their goal is not to focus specifically on criminal justice projects but on whether projects have a statewide scope; a statewide benefit; and can we leverage other systems with it; which overall would make it a better project for the legislature to fund.

Laurie Beyer-Kropuenske asked if the intended scope is for requests that are considered within the jurisdiction of the Task Force; with a focus on the collaboration of information technology, integration and data; as opposed to a request for additional personnel resources. Dana confirmed she was correct.

Mike Goldstein asked if any promotion to the Governor's office has been done with regards to the subcommittee's second objective and does the DPS Commissioner's office support the initiative to combine the Task Force and Policy Group into one Advisory Group. Dana responded that the DPS Commissioner's office is supportive of our initiative and represents us in meeting with the Governor's office. She reported that they have met with the Governor's office on all the DPS initiatives, but had no update about which initiatives the Governor is approving. She added that they were asked to work with the Office of the Revisor of Statutes to formalize the revised statute language they proposed into a bill draft form.

Data Practices:
Laurie Beyer-Kropuenske reported that their subcommittee has been meeting and are currently negotiating with Dana Gotz, in order to obtain the projected $25,000.00 in funding they will need to achieve their goals. They received a $25,000.00 proposal from Management Analysis and Development (MAD), which they need to scale back due to the projected cost of $1500-2500.00 per question needed for the University of Minnesota's Metropolitan and Statewide Survey of Residents planned for this fall. Initially, MAD will help them develop interview questions they (Task Force members) can pose to participants outside their criminal justice field (i.e.; a probation officer would interview a county attorney) about what is currently working and what some of the challenges are concerning the Data Practices Act (i.e.; implementation/changing expectations of privacy, etc.). She stated that they are now seeking members who are able to conduct these interviews as the Humphrey students will not be available until the summer which is outside the scope of their current timeline.

The overall goal is to conduct about 45-50 interviews across the statewide criminal justice system spectrum in order to find out what is and what is not working. Those results would then be gathered and used to form the questions they ask Minnesota citizens what their data practices expectations are. These questions will then be tested through informal written surveys distributed by our (Task Force) members and given to citizens attending state, county and local fairs over the summer. The results from this process will help to identify the final unbiased questions to be used on the official statewide survey in the fall. After the statewide survey is completed, the data from both the public and the criminal justice community will be compiled and shared with our stakeholders and legislators. Laurie stated that their subcommittee is meeting today following the Task Force meeting and invited all interested members to attend and/or consider volunteering to conduct focus interviews. She added that MAD will train members on how to conduct the interviews and capture the analysis.

Data & Identification Standards:
Oded Galili reported that three (he, Mike Goldstein, and Judge Meyer) of the four members on their subcommittee have met and determined that they are unsure of what the next steps are. They believe the two principles they identified and recommended to the members last August achieves what they were originally tasked to accomplish as a subcommittee. Dana Gotz responded that most of the members agreed with their recommendations but there were a few who expressed that more vetting was necessary before they could fully support them. Safia Khan stated that she recalls one was more general, but the one involving fingerprints was more specific and needed more vetting outside the criminal justice system. Deb Kerschner stated that her thoughts about the recommendations were less on identification and more around the data integrity piece; and secondly if we did agree that this is how we identify someone how do we formalize or make it operational. Mike Goldstein thanked the members for providing their clarifications but does not believe that this subcommittee will accomplish those objectives. He further stated that we (Task Force) agreed that we cannot accurately identify a person by name and date of birth, as was established by Judge Meyer, with the recent misidentification examples she provided at the last meeting.

The members continued to discuss the importance of the accurate identification of individuals at every point within the criminal justice system; finding ways to move forward in creating standards statewide; and the need to determine the right solution for both criminal justice partners and public citizens. Steve Warner asked on behalf of the newer members, if someone would briefly explain the Data and Identification Standards subcommittees' goal or objective. Oded responded that their objective was to identify/create the minimum requirements/standards recommended to ensure the accurate identification of a person within the different layers of the criminal justice system. Upon further discussion by the members about biometrics and identification, Deb requested that the recommendations be resent to the members for their review. Oded concurred and will also provide a presentation at the next meeting.

Education & Innovation:
Dana reported that there are still no volunteers for the Education and Innovation subcommittee and asked members who are interested in participating on this subcommittee to please let her know.

She added that if anyone has any ideas or requests for information about new technologies or an innovative topic related to criminal justice information sharing to let her know for future meeting presentations.

Delivery Team Updates

Public Civil Commitment Data:
Rick Smith stated that their delivery team was tasked with providing recommendations to grant the transfer of public civil commitment data to law enforcement officers in the field. He reported that they have met once and another meeting is scheduled on February 26th at the DOC. The team is represented by a large group including judges, prosecutors, law enforcement, corrections, court administration, and social workers. They had a good discussion during their first meeting about the variety of ways that this information can be communicated. In future meetings they plan to formulate a recommendation and are also looking at projects already dealing with the transfer of public civil commitment data that they could align with. They have agreed on the goals which are to enhance community safety and officer safety when dealing with mentally ill individuals by providing officers with information that could lead to a more appropriate outcome. They are also exploring the possibility of making recommendations to provide the contact information of the individual's social worker. Safia Khan asked if a National Alliance on Mental Illness (NAMI) representative attended the meeting and is the team only focusing on current public civil commitment data. Rick responded that there wasn't a NAMI representative at the meeting and Deb reported that one of her staff who is a NAMI representative plans to attend the next meeting. Rick stated the team is pursuing both the current and historical data and added that there are some challenges to accessing the historical data but officers would like to have both.

While he had the floor, Rick also reported that there are six N-DEx trainings being offered with over 200 people registered and is a result of the work the Task Force did a few years ago to bring N-DEx onboard in Minnesota.

Electronic Exchange:
Kathy Hoyle began her update directed to the new members by informing them that the Public Defender's Office has created a content management system (electronic file) to enable prosecutors, probation, etc.; to send content to their system. In January their team held a conference call during which the vendor conducted a WebEx demo to go through the one time registration process and demonstrate how to email documents into the system. She reported that the demonstration was well received by the team and they did a similar demo at the Educational Conference for Minnesota City Attorneys last Friday. Since then, the vendor has installed the system into their environment and is about 90% done with the configuration. They have decided that the First Judicial District will be the pilot when they are ready to begin. In conjunction with writing their content management system, they are also writing their case management system which is scheduled to be done in July, with plans for the pilot to start in September. She stated they have also had discussions with the court about integrating with them. Amy Schmidt added that her observation from the WebEx demo is that the system is very intuitive and believes that users at all levels of technical ability will find it easy to use.

Miscellaneous:
Deb Kerschner directed members to the Priority Status Update in their packets to review and asked if there were any questions or other items for discussion. Shana asked on behalf of the newer members if there will be subcommittee meeting notices being sent out. Deb stated that yes they would begin sending the meeting notices as was discussed at the last meeting and apologized for the oversight. As there was no further discussion a motion was made and seconded to adjourn the meeting. A vote was taken. **The motion carried.**

Next Meeting
Friday, May 13, 2016
9:00 a.m. to 11:30 a.m.
MN Judicial Center, Room 230

Meeting adjourned.